

FIRST REGULAR SESSION

SENATE BILL NO. 418

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHAMPION.

Read 1st time January 31, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1787S.02I

AN ACT

To repeal section 208.030, RSMo, and to enact in lieu thereof one new section relating to the supplemental nursing care program.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 208.030, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 208.030, to read as follows:

208.030. 1. The division of family services shall make monthly payments
2 to each person who was a recipient of old age assistance, aid to the permanently
3 and totally disabled, and aid to the blind and who:

4 (1) Received such assistance payments from the state of Missouri for the
5 month of December, 1973, to which they were legally entitled; and

6 (2) Is a resident of Missouri.

7 2. The amount of supplemental payment made to persons who meet the
8 eligibility requirements for and receive federal supplemental security income
9 payments shall be in an amount, as established by rule and regulation of the
10 division of family services, sufficient to, when added to all other income, equal the
11 amount of cash income received in December, 1973; except, in establishing the
12 amount of the supplemental payments, there shall be disregarded cost-of-living
13 increases provided for in Titles II and XVI of the federal Social Security Act and
14 any benefits or income required to be disregarded by an act of Congress of the
15 United States or any regulation duly promulgated thereunder. As long as the
16 recipient continues to receive a supplemental security income payment, the
17 supplemental payment shall not be reduced. The minimum supplemental
18 payment for those persons who continue to meet the December, 1973, eligibility
19 standards for aid to the blind shall be in an amount which, when added to the

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 federal supplemental security income payment, equals the amount of the blind
21 pension grant as provided for in chapter 209, RSMo.

22 3. The amount of supplemental payment made to persons who do not meet
23 the eligibility requirements for federal supplemental security income benefits, but
24 who do meet the December, 1973, eligibility standards for old age assistance,
25 permanent and total disability and aid to the blind or less restrictive
26 requirements as established by rule or regulation of the division of family
27 services, shall be in an amount established by rule and regulation of the division
28 of family services sufficient to, when added to all other income, equal the amount
29 of cash income received in December, 1973; except, in establishing the amount of
30 the supplemental payment, there shall be disregarded cost-of-living increases
31 provided for in Titles II and XVI of the federal Social Security Act and any other
32 benefits or income required to be disregarded by an act of Congress of the United
33 States or any regulation duly promulgated thereunder. The minimum
34 supplemental payments for those persons who continue to meet the December,
35 1973, eligibility standards for aid to the blind shall be a blind pension payment
36 as prescribed in chapter 209, RSMo.

37 4. The division of family services shall make monthly payments to persons
38 meeting the eligibility standards for the aid to the blind program in effect
39 December 31, 1973, who are bona fide residents of the state of Missouri. The
40 payment shall be in the amount prescribed in subsection 1 of section 209.040,
41 RSMo, less any federal supplemental security income payment.

42 5. The division of family services shall make monthly payments to persons
43 age twenty-one or over who meet the eligibility requirements in effect on
44 December 31, 1973, or less restrictive requirements as established by rule or
45 regulation of the division of family services, who were receiving old age
46 assistance, permanent and total disability assistance, general relief assistance,
47 or aid to the blind assistance lawfully, who are not eligible for nursing home care
48 under the Title XIX program, and who reside in a licensed residential care
49 facility, a licensed assisted living facility, a licensed intermediate care facility or
50 a licensed skilled nursing facility in Missouri and whose total cash income is not
51 sufficient to pay the amount charged by the facility; and to all applicants age
52 twenty-one or over who are not eligible for nursing home care under the Title XIX
53 program who are residing in a licensed residential care facility, a licensed
54 assisted living facility, a licensed intermediate care facility or a licensed skilled
55 nursing facility in Missouri, who make application after December 31, 1973,

56 provided they meet the eligibility standards for old age assistance, permanent
57 and total disability assistance, general relief assistance, or aid to the blind
58 assistance in effect on December 31, 1973, or less restrictive requirements as
59 established by rule or regulation of the division of family services, who are bona
60 fide residents of the state of Missouri, and whose total cash income is not
61 sufficient to pay the amount charged by the facility. Until July 1, 1983, the
62 amount of the total state payment for home care in licensed residential care
63 facilities shall not exceed one hundred twenty dollars monthly, for care in
64 licensed intermediate care facilities or licensed skilled nursing facilities shall not
65 exceed three hundred dollars monthly, and for care in licensed assisted living
66 facilities shall not exceed two hundred twenty-five dollars monthly. Beginning
67 July 1, 1983, for fiscal year 1983-1984 and each year thereafter, the amount of
68 the total state payment for home care in licensed residential care facilities shall
69 not exceed one hundred fifty-six dollars monthly, for care in licensed intermediate
70 care facilities or licensed skilled nursing facilities shall not exceed three hundred
71 ninety dollars monthly, and for care in licensed assisted living facilities shall not
72 exceed two hundred ninety-two dollars and fifty cents monthly. No intermediate
73 care or skilled nursing payment shall be made to a person residing in a licensed
74 intermediate care facility or in a licensed skilled nursing facility unless such
75 person has been determined, by his own physician or doctor, to medically need
76 such services subject to review and approval by the department. Residential care
77 payments may be made to persons residing in licensed intermediate care facilities
78 or licensed skilled nursing facilities. Any person eligible to receive a monthly
79 payment pursuant to this subsection shall receive an additional monthly payment
80 of not more than [twenty-five dollars] **the Medicaid vendor nursing facility**
81 **personal needs allowance**. The exact amount of the additional payment shall
82 be determined by rule of the department. This additional payment shall not be
83 used to pay for any supplies or services, or for any other items that would have
84 been paid for by the division of family services if that person would have been
85 receiving medical assistance benefits under Title XIX of the federal Social
86 Security Act for nursing home services pursuant to the provisions of section
87 208.159. Notwithstanding the previous part of this subsection, the person eligible
88 shall not receive this additional payment if such eligible person is receiving funds
89 for personal expenses from some other state or federal program.

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